



THE VRP REVIEW

SUMMER 2010

Commandant, USCG (CG-5431) • Vessel Response Plan Team • 2100 2nd Street SW, Stop 7581 • Washington, DC 20593-7581

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Combined Plans

By LT Xochitl Castaneda



Spill! The Vessel Master must pull the emergency response plan off the shelf. If there is more than one emergency spill response plan, which one will the Master choose? This decision has legal, safety and environmental risks.

Vessel Response Plans can be combined in many different ways to meet both domestic and international

requirements and most importantly to improve response readiness. A tank vessel response plan (TVRP) can be combined with a nontank vessel response plan (NTRVP) and a Shipboard Oil Pollution Emergency Plan (SOPEP) and Shipboard Marine Pollution Emergency Plan (SMPEP) in any combination. In fact, there are many such VRPs in use today.

Tank vessel response plan regulations are specifically written to allow combining spill plans, provided that the required elements are cross-referenced to facilitate plan review and approval (33 CFR 155.1030(j)). The statutory requirements for the respective response plans are the same:

- Consistency with the national and area contingency plans;
- Identification of the qualified individual; and
- Identification of and ensuring the availability of private personnel and equipment necessary to remove to the maximum extent practicable a worst case discharge.

It makes good sense to combine your OPA 90-required plans even if the approval agencies are different. Customers currently combine Vessel Response Plans with Facility Response Plans (33 CFR 154). There is nothing stopping combination of a VRP with a Minerals Management Response Plan such as Oil Spill Response Plans for Outer Continental Shelf Facilities or Oil Spill Response Requirements for Facilities Located in State Waters Seaward of the Coast Line (30 CFR 254). Just submit the plan individually to each agency.

VRP Statistics

Tank	694 plans; 5,374 vessels
Nontank	2,328 plans; 12,837 vessels
Combined	82 plans; 4,187 vessels
SOPEP	504 plans; 2,630 vessels
SMPEP	66 plans; 908 vessels



VRP's Rising Star

By LT Xochitl Castaneda

Petty Officer Dean Johnston was honored as Sailor of the Quarter at a ceremony on January 25, 2010, for his work on Vessel Response Plan Improvements and his innovative design of a VRP tracking database. He is credited with the database design and construction that resulted in the VRP customer service delivery improvements. MST1 accepted this recognition with his mother, Candi Johnston. "I'm humbled by this award. It means a great deal to me at this point in my career," said Petty Officer Johnston. "I thank all those who have guided me to strive for more and to never settle for complacency. It is an honor to serve in a great organization."





TOP TEN SUBMISSION PRACTICES

By Noelle Slager, Mike Margelos, Peter Gibson, and Michelle Carns

to your plan. Although we have made significant improvements to our review times, the incoming volume of submissions still fluctuates. As a reminder, it could take up to 30 days to review the submission of a new plan, and up to 3 weeks to review any other submission.

2. AVOID DUPLICATION

If you submit an electronic copy of a revision and that revision is under 15 pages, it is not necessary to submit a hard copy. By submitting duplicate revisions, the review process is lengthened due to the fact that both copies of revisions must be reviewed in their entirety to ensure that all information provided is the same.

3. HOW TO RESUBMIT

If you would like to renew your Plan Approval and/or Interim Operating Authorization, please provide a certification statement signed by the owner or operator. The certification statement may be submitted on company letterhead or by using the optional USCG Application for Approval, which can be found at <http://homeport.uscg.mil/vrp>. Please note that you do not have to resubmit your entire plan. Only submit revisions to the plan that have not been previously submitted. In addition, you are reminded that all oil spill removal organization resources must be in place under a current contract or other approved means.

4. ANNUAL REVIEW

Per 33 CFR 155.1070 (Tank VRP) and 33 CFR 151.28(a) (IMO plans) vessel response plans must be reviewed annually. Upon completion of the vessel owner or operator's review, the Coast Guard should be notified and any necessary changes to the plan should be submitted.

1. DON'T WAIT

Please do not wait until the last minute to submit vessel additions

5. SUBMIT DOCUMENTS TO VERIFY VINS

Submitting official documents with new plans and added vessels helps eliminate delays in review time in cases where the vessel name and vessel identification number listed in the plan do not match that in the Coast Guard's MISLE database.

6. INCLUDE A PLAN NUMBER

Please make sure that you include your vessel response plan control number with all submissions. This saves time on our end and ensures that the revisions submitted are included in the correct plan.

7. MAKE SURE WE HAVE YOUR EMAIL ADDRESS

It is recommended that all plan holders/preparers provide the VRP program with an email address. This will allow us to provide you with a PDF copy of your approval/interim-operation authorization letters, which will significantly cut down on the delivery time as compared to sending letters by mail or courier. In addition, any plan deficiencies can also be sent and responded to electronically.

8. OUR DOOR IS OPEN

Please do not hesitate to contact us with any questions or concerns dealing with vessel response plans. We can be reached by phone at 202-372-1229 or by email at vrp@uscg.mil. We are also available for meetings if you'd like to schedule an appointment.



9. SUBMISSION STATUS REPORTS

To check on the status of your submission and outgoing correspondence related to your plan, please visit our homeport website at <http://homeport.uscg.mil/vrp> (under EVRP/Revision Reports > Revision Reports).

10. SMFF/CAPS REVISIONS

We will begin accepting revisions to VRPs in accordance with the new Salvage & Marine Firefighting Rule and CAPS Rule this September. VRP updates for these rules must be submitted to the USCG by February 22, 2011.



Salvage and Firefighting FAQ

By Patricia Adams



1. When are Salvage and Marine Firefighting revisions to my Tank VRP supposed to be submitted?

Existing approved VRPs for tank vessels carrying type I-IV oils must be updated to comply with the provisions of the Salvage and Marine Firefighting Final Rule and submitted to the Coast Guard before February 22, 2011.

VRPs with salvage and marine firefighting revisions may be submitted to the Coast Guard beginning September 1, 2010. Regulatory lead times for plan submissions remain unchanged for new plan submissions, and plan re-certifications. See the Submission Timeframes table on page 8 for further information.

2. Where can I find the latest Salvage and Marine Firefighting Frequently Asked Questions (FAQs)?

'Salvage and Marine Firefighting FAQ' is a living document. When there are revisions, the document title includes a new revision date, and revision dates are indicated in parentheses at the end of individual answers. If there is no date, the answer has not changed from the original publication in March, 2010.

You can find the most current Salvage and Marine Firefighting information by following these steps on the internet: <http://homeport.uscg.mil>, Missions > Environmental > Vessel Response Plan Program. Look for "Frequently Asked Questions", "General", and "Salvage . . ."

When you have a question, check the FAQs and supporting documents first. If you are still puzzled, please send your question in an email to vrp@uscg.mil.

3. What is the 'Evaluation of Salvage and Marine Firefighting Services' document that I see in the supporting documents for the FAQs on Homeport?

This document is intended to provide a common tool for Vessel Response Plan stakeholders to plan and evaluate plans that include salvage and marine firefighting services. Information about each required salvage and marine firefighting service is distilled from 33 CFR Part 155, Salvage and Marine Firefighting Requirements; Vessel Response Plans for Oil, Final Rule. For ease of navigation the contents page is hyperlinked to each topic.

Information summarized by service category may be particularly helpful to vessel owner/operators for evaluating potential salvage and marine firefighting service providers, and in applying for temporary waivers of specific response time planning requirements when you are unable to identify a resource provider who can meet those requirements. The timeframes in this rule are criteria for identifying resources for your plan, and are not response standards.

Successful Re-Approval of Alternate Planning Criteria in Alaska

By LT Xochitl Castaneda

The Coast Guard announced the reapproval of the Alaska Petroleum Distributors and Transporters (APD&T) Alternate Planning Criteria Agreement on May 10, 2010. The APD&T agreement is for vessels carrying non-persistent oil in Western Alaska, Prince William Sound and Southeast Alaska. The agreement bridges the compliance gap by establishing and maintaining logistical response hubs to provide more efficient response times for mechanical recovery capabilities and by maintaining recovery equipment onboard each vessel. The landmark agreement is being used as a model for future alternate compliance agreements. This approval reflects the Coast Guard's recognition that full compliance with oil spill regulations is not yet practicable and in some cases not necessarily the best means of protecting the environment in Alaska. The Coast Guard recommended the continued development of response resource infrastructure in Alaska.





VRP Staff Tour

by Joseph Marflak

In March, the VRP staff toured the *Delaware Responder*, one of fifteen oil spill response vessels operated by the Marine Spill Response Corporation (MSRC). These vessels are equipped with support boats, oil skimmers and thousands of feet of boom to assist in oil cleanup and recovery. The *Delaware Responder* was recently called to the Gulf of Mexico to assist with the Deepwater Horizon incident.

The tour was led by the ship's captain and several members of the skeleton crew who remain aboard to maintain the vessel when it is not actively responding to an oil spill. The VRP team was given detailed explanations on the use of a wide variety of shipboard equipment, and some of the analysts were given the chance to personally test safety gear. The staff really enjoyed getting some hands on experience and further insight into spill response procedures. Thanks again to MSRC for providing this opportunity.



Emergency Towing Requirements

By Guest Columnist Scott Kuhaneck,
Office of Vessel Activities (CG-543) Staff

As a member of the cadre of personnel responsible for the oversight of domestic tug operations, I thought I would take a few lines here to discuss one of the new salvage stabilization services, emergency towing, mandated by new regulations found in Title 33, Code of Federal Regulations, Part 155 (Salvage and Marine Firefighting Requirements). It cannot be overstated that while these new regulations include both a planning and timeframe aspect, the emphasis is on planning as the timeframes listed in the regulations are not performance standards. The vessel owner or operator must select salvage and marine firefighting resource providers on the basis of their meeting the criteria found in the regulations to the maximum extent possible.

Before delving further into our discussion, it is important that we have a shared understanding by what the term "emergency towing" means. As defined in the regulations, emergency towing means the use of towing vessels that can pull, push or make-up alongside a vessel to ensure that a vessel can be stabilized controlled or removed from a grounded position. Towing vessels that will be employed in emergency towing must have the proper horsepower or bollard pull compatible with the size and tonnage of the vessel to be assisted. Emergency towing is sometimes referred to as rescue towing. Vessel owners or operators must identify in their vessel response plans and contract with, or have their primary resource provider contract with, emergency towing vessels, as stipulated in the regulations.

Emergency towing vessels with the proper characteristics must be identified in your Vessel Response Plan Geographic Specific Appendices by name, horsepower, bollard pull, and the ability to work in up to 40-knot winds. The regulations require that the resource providers listed in your VRP have been arranged by contract or other approved means, and that you have obtained their written consent to list them in your VRP. Multiple vessels may be listed for each Captain of the Port zone to provide a range of response options to the vessel owner or operator.

As mentioned above, there are timeframes specified in the regulations regarding providing both nearshore and offshore emergency towing capability. In the case of a nearshore area, this timeframe is 12 hours. For an offshore area, the timeframe is 18 hours. If you are unable to find an emergency towing vessel resource provider who is able meet the 12 and 18 hour timeframes for emergency towing vessels in a particular zone, you may apply for a temporary waiver as provided for in the regulations. Among other things, your request must include how you intend to correct the shortfall, the time it will take to do so, and what arrangements have been made to provide the required response resources and their estimated response times.

It would be remiss of me not to include a word or two concerning inland emergency towing requirements. While it seems that there is always a towboat moving on our inland river system, the inland towing industry must still identify emergency towing vessels with sufficient capability to be effective in emergency situations. Inland operators may comply by contracting emergency towing vessels according to the established requirements, or submit alternate planning criteria for approval in accordance with the regulations.



Update: 2010 VRP Express

By LT Jarrod DeWitz

Substantial development continues to be made in anticipation for the roll out of the new 'VRP Express,' electronic plan submission tool and database. In the past few months we've been able to refine system functionality, fully integrate search functions and capability to manage plans, view approvals, and print reports right from the status screen.



'VRP Express' is:

✓ **Convenient** – you can electronically submit plans 24 hours a day, 7 days a week.

✓ **Secure** – other than the information offered on the general status page, your plan

specific information is transmitted over secure lines to ensure confidentiality.

✓ **Accurate** – Electronic plan submissions will have far fewer errors than paper plans.

✓ **Proof of Submission** – An acknowledgment is issued when your plan is received and accepted.

Although the full version plan builder feature captures every federal vessel response planning requirement found in Title 33 Code of Federal Regulations Part 151 and Part 155, some industry members have requested that we offer another option so that traditional plans can continue to be submitted.

Due to the large volume of resubmissions scheduled within the next year and the length of time the plan builder takes to initially submit, we've introduced a modified submission feature that will allow a submitter to submit a traditional plan through a 'file upload' option.

In addition, for those vessel owners/operators who may be unaccustomed to electronic submissions, we will continue to accept hard copy paper-based submissions. However, the length of time for preparation, submission, and review may prove to be burdensome when compared to electronic plan management. We can assure submitters that the new electronic VRP database will improve the plan management flow far better than any paper-based or traditional system.

If you are a plan submitter (owner/operator/plan preparer) you are highly encouraged to open a homeport account at <http://homeport.uscg.mil> prior to September 30, 2010. In this account request, please identify a sample of plans that you represent for expedited account approval. If you would like more information on VRP Express, please contact Lieutenant Jarrod DeWitz jarrod.m.dewitz@uscg.mil or (202) 372-1219.



Most Common Vessel Response Plan Errors

By Noelle Slager

You can avoid costly and common errors when developing your vessel response plan when you:

- Provide a certification statement signed by the plan holder(owner or operator) for all new plans, recertifications/resubmissions, for added vessels that have a worst case discharge higher than any other vessel in the plan, and for a plan holder name change.
- Submit proof of contract for operations in remote zones such as American Samoa, Guam, and Alaska.
- Include official documents to verify the vessel identification number for new builds.
- Submit clearly labeled diagrams. If vessels in the plan are sister ships, this should be stated in the vessel-specific appendix for each vessel.
- Include a list of Captain of the Port (COTP) zones in which your vessel(s) intends to operate. Please see 33 CFR 3 for a list of COTP zones and the definitions of their boundaries.
- Review the worst-case discharge (WCD) and fuel/cargo capacities. For tank vessels, WCD should be the sum of the total cargo oil. For nontank vessels, WCD should be equal to the total fuel oil. When calculating your vessel's WCD, please use the total line on the tank capacity table to ensure that all tanks (port and starboard) are included.
- Update your SOPEP and SMPEP plans to include the correct MARPOL regulation numbers. Regulation 26 of Annex I and Regulation 16 of Annex II have been renumbered as Regulations 37 and 17, respectively.
- Ensure that IMO plans include an up-to-date version of Annex 2 or state that the most current version of this contact list is provided to the vessel on a regular basis.



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COMPLETED ITEMS

Title	Action	Date	FR Cite
Consumer Price Index Adjustments of Oil Pollution Act of 1990 Limits of Liability--Vessels and Deepwater Ports	Final Rule	01/06/2010	75 FR 750
Federal Civil Penalties Adjustment Act--2009 Update	Final Rule	12/23/2009	74 FR 68150
Gulfs and Mediterranean Sea Special Areas Under MARPOL Annex V	Final Rule	12/15/2009	74 FR 66238

PROPOSED RULES

Title	Action	Date	FR Cite
Numbering of Undocumented Barges (USCG-1998-3798)	Supplemental NPRM	11/00/2010	69 FR 49844
Outer Continental Shelf Activities (USCG-1998-3868)	Supplemental NPRM	11/00/2010	66 FR 40559
Commercial Fishing Industry Vessels (USCG-2003-16158)	NPRM	10/00/2010	73 FR 16815
Inspection of Towing Vessels (USCG-2006-24412)	NPRM	08/00/2010	---
Assessment Framework and Organizational Restatement Regarding Preemption for Certain Regulations Issued by the Coast Guard [USCG-2008-1259]	NPRM	09/00/2010	---
Installation and Use of Engine Cut-Off Switches [USCG-2009-0206]	NPRM	11/00/2010	---
Classification Society Approval	NPRM	04/23/2010	75 FR 21212 **
Amendment to General Bridge Regulations [USCG-2008-1188]	NPRM	11/00/2010	---
Marine Vapor Control Systems	NPRM	06/00/2010	---
Maritime Security (MTSA II)	NPRM	11/00/2010	---
Carbon Dioxide Fire Suppression Systems on Commercial Vessels	NPRM Comment Period End	05/25/2010	75 FR 8431
Changes to Standard Numbering System, Vessel Identification System, and Boating Accident Report Database [USCG-2003-14963]	NPRM	05/07/2010	75 FR 25137 **
Lifesaving Equipment, Production Testing, and Harmonization With International Standards [USCG-2010-0048] [Formerly USCG-2007-27669]	NPRM	06/00/2010	---

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FINAL RULES			
Title	Action	Date	FR Cite
Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters (USCG-2001-10486)	Final Rule	12/00/2010	74 FR 52941
Traffic Separation Schemes in the Strait of Juan De Fuca and Its Approaches; in Puget Sound and Its Approaches; in Haro Strait, Boundary Pass; and in the Strait of Georgia (USCG-2002-12702)	Interim Final Rule	06/00/2010	67 FR 54981
Vessel Traffic Service Lower Mississippi River (USCG-1998-4399)	Final Rule	08/00/2010	74 FR 58223
Revision of LNG and LHG Waterfront Facility General Requirements	Final Rule	05/26/2010	75 FR 2942 **
Passenger Weight and Inspected Vessel Stability Requirements (USCG-2007-0030)	Final Action	06/00/2010	74 FR 7576
Nontank Vessel Response Plans and Other Vessel Response Plan Requirements [USCG-2008-1070]	Final Rule	11/00/2010	74 FR 48891 *
Notice of Arrival on the Outer Continental Shelf	Final Rule	06/00/2010	74 FR 29439
Protection for Whistle Blowers in the Coast Guard (USCG-2009-10239)	Direct Final Rule	08/00/2010	- - -
Inland Navigation Rules	Final Rule	04/00/2010	- - -

* Items with one asterisk impact the VRP submissions directly.

** Items with two asterisks have been updated since the publication of the April Regulatory Agenda.

The Salvage and Marine Firefighting Final Rule was addressed in a previous Semiannual Regulatory Agenda, and may be found at 73FR80618.



Hail and Farewell

by Patricia Adams

Every year there comes a season when a new tour of duty begins for a number of Coast Guard men and women, and an old one ends. Happily, this transfer season brings LT Evelyn Samms to the VRP Program. We look forward to welcoming her into our midst in August. We plan to introduce her to you in our next newsletter.



The VRP Program has, sadly for us, 'graduated' three outstanding Coast Guard men and women.

LT Kelly Hartshorn

LT Kelly Hartshorn contributed tremendously to the development of the Nontank Vessel Response Plan final rule, including moderating public meetings around the country. She and her husband have opened a new business in Washington, DC.

MST2 Matt Ferraro – USCG SECTOR SE, NEW ENGLAND

MST2 Matt Ferraro, who spoke with many of you over the phone about urgent matters, has transferred to Coast Guard Sector SE New England. Matt was the familiar 'Voice of the VRP Help Desk', and always prepared in time of need.



LT Xochitl Castaneda – USCG SECTOR HOUSTON, TEXAS



LT Xochitl Castaneda, whose signature is as well known as her smile, has transferred to Coast Guard duty in Sector Houston-Galveston. LCDR Ryan Allain's signature will take the place of the familiar 'X' on VRP letters, but no one can replace her spirit.

Congratulations to our colleagues, new and old. We wish them all fair winds and following seas!

Submission Timeframes

Submission Type	Regulatory Lead Time	VRP Staff Target
IMO New Plans	90 days	30 days
Tank & Nontank New Plans	60 days	30 days
Plan Revisions (all plan types)	30 days	21 days
Nontank Plan Recertifications & Tank/IMO Plan Resubmissions	180 days	21 days

Vessel Response Plan Program

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